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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

KEVIN ANTHONY INNIS,

Defendant and Appellant.

B251384

(Los Angeles County Super. Ct.
No. BA407528)

APPEAL from a judgment of the Superior Court of Los Angeles County, Michael D. Abzug, Judge. Affirmed.

Ann Krausz, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant Kevin Anthony Innis was convicted by jury of battery with serious bodily injury, in violation of Penal Code sections 242/243, subdivision (d). The trial court sentenced defendant to two years in state prison. Defendant filed a timely notice of appeal.

This court appointed counsel to represent defendant on appeal. On March 26, 2014, appointed counsel filed a brief raising no issues, asking this court to independently review the record for arguable appellate contentions under *People v. Wende* (1979) 25 Cal.3d 436. Defendant was advised of his right to file a supplemental brief within thirty days. No supplemental brief has been filed by defendant.

Viewed in the light most favorable to the judgment, the record shows that a dispute resulted over how defendant requested a taco from the victim. After the dispute turned physical, defendant knocked the victim down, repeatedly struck the victim in the face with his fists, and banged the victim's head into the ground. The victim suffered substantial facial injuries. Defendant told the police he had hit the victim with his fists for a minute while the victim was on the ground. Defendant walked away after the beating, entered a bus, and left the area. The victim, with the assistance of a friend, immediately reported the incident to the police.

Our independent review of the record reveals the absence of any arguable appellate contentions. The judgment is amply supported by substantial evidence. The jury was properly instructed on the pertinent law. The sentence imposed was within the sound discretion of the trial court.

The judgment is affirmed. (*Smith v. Robbins* (2000) 528 U.S. 259.)

KRIEGLER, J.

We concur:

TURNER, P. J.

MINK, J.*

* Retired judge of the Los Angeles County Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.